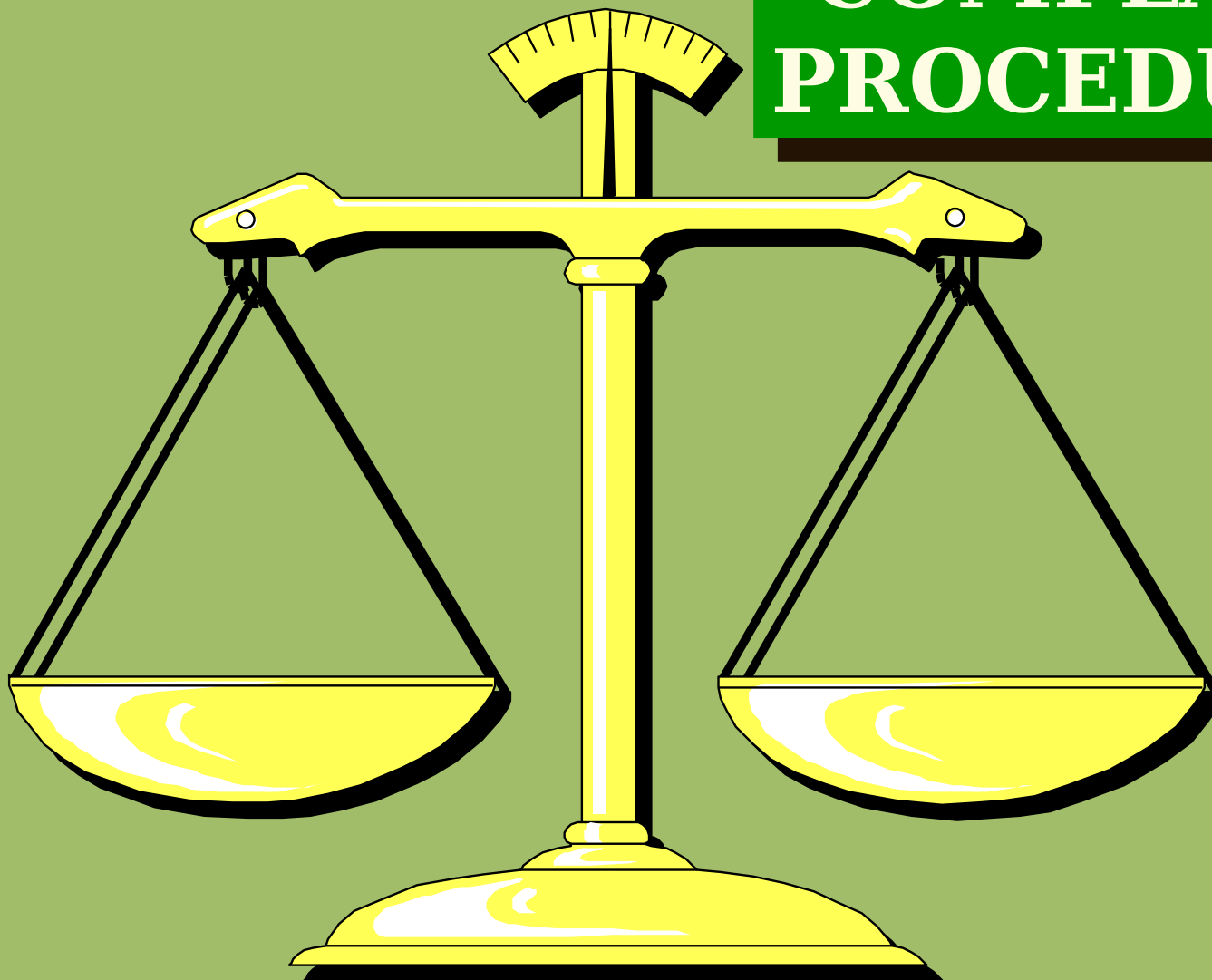


COMPLAINT PROCEDURES



Overview

- **Describe the Army's EO Complaint Process**
- **Define the types of Complaints**
- **Describe the Alternative Agencies**
- **Describe the Actions of the Command**
- **Explain the Appeals Process**
- **Describe forms of Reprisal**
- **Explain the Military Whistleblower Protection Law**

Basis of EO Complaints

- RACE
- COLOR
- RELIGION
- GENDER
- NATIONAL ORIGIN
- SEXUAL HARASSMENT

Types of EO Complaints



Informal



Formal

Alternative Agencies

- **A Higher Echelon Command**
- **Command Equal Opportunity Advisor (CEO)**
- **Chaplain (CH)**
- **Staff Judge Advocates (SJA)**
- **Provost Marshal (PM)**
- **Inspector General (IG)**
- **Community Home finding Referral and Relocation Services Office (CHRRSO)**
- **Medical Agency Personnel**
- **EO Hotline**

Commander/Alternative Agency Responsibilities

- **Ensure information is complete**
- **Ensure individual is sworn to complain**
- **Clarify basis of complaint**
- **Identify additional information**
- **Tell what happens next**
- **Acknowledge receipt**
- **Refer to appropriate agency/commander (Within 3 calendar days)**
- **Conduct inquiry/investigation (Within 3 calendar days)**
- **Provide written feedback**

Elements of Inquiry/ Investigation

- **Clarify nature of complaint**
- **Interview as appropriate**
- **Gather information**
- **Consult advisors**
- **Assess information**
- **Render decision on findings**

Appeals Process

- **Submit on separate paper within 7 calendar days specify issues you disagree with**
- **Submit to immediate or next higher command**
- **May request appointment with appeal authority**
- **Final Decision Authority-First General Officer or Flag Officer in Chain-of-Command**
- **No further appeal available within EO complaint system**
- **Follow-up assessment**

Reprisal

Taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action or any other act of retaliation, against a member for making or preparing a protected communication.

Forms of Reprisal



- **Threatening**
- **Intimidation**
- **Harassment**

Protected Communication

- **Violation of law or regulation**
- **Severe case of mismanagement**
- **Fraud or a gross waste of public funds**
- **An abuse of authority or position**
- **Substantial danger to public safety**
- **Cooperated with or otherwise assisted in an audit, inspection, or investigation**

Military Whistleblower Protection Law Prohibits:

- **Restricting a military member from communicating with members of congress, DoD officials or other law enforcement agencies.**
- **Taking or threatening to take an unfavorable personnel action, withholding or threatening to withhold a favorable personnel action, or reprisal for making or preparing a law communication.**

Reporting Incidents of Reprisal

- **Made a protected disclosure**
- **Unfavorable action threatened or taken**
- **Official or other person knew of disclosure**
complaint
- **Disclosure caused action taken**
- **Evidence that disclosure caused action**

Summary

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